

Exhibit 6

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

A P P E A R A N C E S

FOR THE PLAINTIFFS: Mr. Richard Garren
Attorney at Law
502 West 6th Street
Tulsa, OK 74119

FOR TYSON FOODS: Mr. Robert George
Attorney at Law
2210 West Oaklawn Drive
Springdale, AR 72762

FOR CARGILL: Ms. Theresa Hill
Attorney at Law
100 West 5th Street
Suite 400
Tulsa, OK 74103

FOR SIMMONS FOODS: Mr. John Elrod
Attorney at Law
211 East Dickson Street
Fayetteville, AR 72701

FOR PETERSON FARMS: Mr. Scott McDaniel
Attorney at Law
320 South Boston
Suite 700
Tulsa, OK 74103

FOR GEORGE'S: Mr. Woodson Bassett
Attorney at Law
221 North College
Fayetteville, AR 72701

FOR CAL-MAINE: Mr. Robert Sanders
Attorney at Law
2000 AmSouth Plaza
P. O. Box 23059
Jackson, MS 39225
(Via phone)

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-and-
Mr. Robert Redemann
Attorney at Law
1437 South Boulder
Tulsa, OK 74119
(Via phone)

Ms. Jennifer Griffin
Attorney at Law
314 East High Street
Jefferson City, MO 65109
(Via phone)

FOR WILLOW BROOK:

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1 company, the contract growers have a sign indicating
2 the integrator they happen to contract with that may
3 say Tyson or Simmons or George's or Petersons;
4 right?

5 MR. GARREN: Object to form.

01:31PM

6 Q Then they have the farm name on it?

7 MR. GARREN: Same objection.

8 A I'm just reporting what's on the sign.

9 Q All right. Well, let's be clear. Are you

10 representing in your report or do you intend to

01:31PM

11 represent that this farm is owned or managed by

12 Peterson Farms, Inc.?

13 A No.

14 Q Is it your intention to represent or suggest

15 to the jury that what is depicted in this photograph

01:31PM

16 is a land application being conducted by Peterson

17 Farms, Inc.?

18 A No.

19 Q Okay, and I think this photograph came up

20 yesterday when you were talking to Mr. George about

01:32PM

21 whether any specific land application had been

22 directly linked to any particular location where

23 water pollution had been identified. This land

24 application that's depicted in Figure 3 of your

25 report, were there edge of field samples taken from

01:32PM

1 that field?

2 A I can't recall as we sit here at this moment.

3 Q All right. Can you tell me whether you or
4 anyone else on the plaintiff's expert team to your
5 knowledge has drawn a direct correlation between
6 this land application depicted in Figure 3 and any
7 specific water contamination in the Illinois River
8 watershed?

01:32PM

9 MR. GARREN: Object as to form.

10 A I don't know at this time.

01:32PM

11 Q Is there anything -- strike that. Okay. Sir,
12 would you turn to Page 46 of your report, please.
13 The top of the page, do you see the sentence that
14 begins as shown in Figure 14?

15 A Yes.

01:33PM

16 Q All right. Just so we're clear, this is part
17 of your statement of your Opinion No. 19, and you
18 say, as shown in Figure 14, soils more susceptible
19 to runoff dominate in the eastern and western
20 portions of the Illinois River watershed, while
21 soils that are more susceptible to infiltration
22 dominate in the central portion of the Illinois
23 River watershed; correct?

01:33PM

24 A That's correct.

25 Q All right. Let's look at Figure 14. All

01:34PM

1 Q All right. How many edge of field samples
2 were collected from fields you actually had sampled
3 the soil in the pasture?

4 A Very few. I can't give an accurate number on
5 that.

03:15PM

6 Q All right. So when you overlay litter samples
7 with soil samples with edge of field samples, the
8 fact of the matter is you don't have any of those
9 samples at the same place where you tracked the
10 litter to the soil to the edge of field and then
11 you're looking at the plots of that; you haven't
12 done that, have you?

03:16PM

13 MR. GARREN: Object to form.

14 A No, and you wouldn't need to in looking at
15 this as a population.

03:16PM

16 Q Because on a field-by-field basis, that's not
17 relevant to your evaluation?

18 MR. GARREN: Object to form.

19 A It is not.

20 Q When you look at Figure 19, you'd agree that
21 as it relates to phosphorus, zinc, copper and
22 arsenic, that there's no fingerprint involving those
23 constituents that would characterize edge of field
24 runoff in the Illinois River watershed; correct?

03:16PM

25 MR. GARREN: Object to form.

03:17PM